[29th September 1956

time to time, 13 more candidates from the approved list were appointed as Sub-Registrars. All these persons were kept on duty continuously till 1st August 1956. By this time, six Reserve Sub-Registrars had qualified themselves for appointment as Sub-Registrars by passing the necessary tests, the results of which were published in the *Fort St. George Gazette* in July 1956. Five of the six Reserve Sub-Registrars were from Malabar and these Reserve Sub-Registrars had, therefore, to be posted as Sub-Registrars in preference to the acting Sub-Registrars recently promoted.

9-10 a.m. SRI K. P. GOPALAN : Is it justifiable on the part of the Government not to take back the experienced people but oust them or revert them and take people who are totally new to the department?

THE HON. SRI B. PARAMESWARAN : Reserve Sub-Registrars are qualified and, therefore, they have to be appointed in the place of acting Sub-Registrars.

Police firing at Naduvattam

* 273 *Q.*—SRI K. KUNHI MOHAMED SHAFEE : Will the Hon. the Minister for Finance be pleased to lay on the table of the House the report submitted by Sri W. R. S. Satthianadhan, I.C.S., on his enquiry about the police firing at Naduvattam near Kozhikode on the 28th March 1954?

THE HON. SRI C. SUBRAMANIAM : A copy of the report is placed on the table of the House.

SRI K. KUNHI MOHAMED SHAFEE : Sir, may I know whether the Government have examined the various observations made by this enquiry officer and arrived at any decision as regards the necessary steps to be taken against the officers who, it seems, have failed in their duty to act in time?

THE HON. SRI C. SUBRAMANIAM : Yes, Sir. The report was examined and the Government have arrived at decisions. Further instructions wherever necessary have been issued; and wherever the officers had to be warned against their failure to take the necessary steps at the earliest moment possible, they have also been warned.

SRI P. K. GOPALAKRISHNAN : May I know, Sir, what is the particular instruction issued by the Government in order to prevent further clashes like this?

THE HON. SRI C. SUBRAMANIAM : We have instructed that action under section 30, sub-section (4), of the Police Act of 1861 (which was discussed on the floor of the House) should be applied in all these cases and any likely clashes should be averted.

SRI M. NARAYANA KURUP : Sir, when this question was first raised on the floor of this House, the Hon. the Finance Minister himself read a statement in the Assembly to the effect that the

29th September 1956]

firing at Naduvattam was made at the instance and orders of the Collector, a fact which was denied by him (the Collector) before the enquiry officer of this report. May I know what is the real fact about it—whether the statement made by the Finance Minister before this House is correct or his (the Collector's) subsequent denial? The Collector has said that firing was not made at his instance and that he did not order the firing, but that it was done in self-defence. This is the evidence given by him.

THE HON. SRI C. SUBRAMANIAM : The following conclusions were arrived at after an examination of the report and after taking into consideration all the facts :—

(i) The authorities were justified in having granted a licence to the Hindus to take out a procession with music before Beypore to Thaliyadathu Temple on 28th March 1954.

(ii) The Collector and the District Superintendent of Police should have known that a serious situation was likely to develop at Naduvattam and they should, therefore, have (*a*) taken charge of the situation much earlier by keeping themselves in constant touch with the trouble spot and (*b*) reached Naduvattam much earlier than they did.

(iii) The four M.S.P. men who had opened fire did so only in the exercise of the right of private defence and they did not exceed this right.

These are the main conclusions arrived at. The hon. Member was telling just now what I said immediately after the incident. I do not recollect what I said then.

SRI N. K. PALANISAMY : May I know, Sir, whether there is a general order prohibiting the beating of drums before Mosques?

THE HON. SRI C. SUBRAMANIAM : No, Sir. I do not think there is now a general order. But hereafter I am sure there should be understanding between the two communities rather than a dependence upon Government orders. Certainly at the time of prayers, particularly when prayers are conducted, playing of music before the Mosque and its vicinity should be prevented. I do not think it is being done by anybody. Therefore, if we are able to come to a good understanding among ourselves, it may not be necessary for the officers to interfere, and I hope such an understanding will be arrived at and cordial relations will prevail between these two communities.

SRI K. P. GOPALAN : Sir, in view of the fact that some bullets were fired and the unfortunate incident occurred, will the Government be pleased to consider the question of giving compensation to the families of those people who lost their lives in this incident?

THE HON. SRI C. SUBRAMANIAM : The suggestion is being made for the first time. I do not know whether he is asking anybody

to come forward with a petition for claiming compensation. Certainly if anybody was aggrieved, he would have asked for compensation long ago. I do not think at this stage we can take up this question.

SRI P. K. GOPALAKRISHNAN : Sir, apart from the legal right of religious communities to take out processions before temples or churches or mosques when there is no congregational prayer inside, it is given in the statement placed on the table of the House that witness No. 26 had stated, ' . . . generally Hindu processions passing in front of mosques do not play music; that, contrary to this custom in February 1951, some Hindu processions tried to pass or did pass certain mosques with music which resulted in resentment among Muslims '. He says that he had informed the authorities that if a licence was issued to a procession to pass with music, it was likely that some untoward incident happened. May I know, Sir, what particular steps were taken to see that the apprehensions in the minds of Muslims were allayed? There is the legal right of everybody to take out processions, when there is no congregational prayer inside a mosque.

THE HON. SRI C. SUBRAMANIAM : Sir, this is a matter which should be buried and should not be raked up. My own appeal to hon. Members also is not to go into the past but to see that there is cordial relationship in future between the two communities. If we go to the past, it may perhaps give us a certain amount of bitterness. Therefore I would appeal particularly to hon. Members coming from Malabar not to try to rake up the past and create further trouble. Let us hope for better understanding in the future.

SRI P. RAMAMURTHI : Sir, the Leader of the House has said that if there is a proper understanding between the two communities, there is no need to pass any legal orders. May I just ask him whether it is not a fact that already for generations there has been that kind of understanding between Hindus and Muslims in our State and as a result of that, generally speaking, there is no playing of music before the mosque at the time of congregational prayers and any breach of this is only the exception rather than the general rule?

THE HON. SRI C. SUBRAMANIAM : I entirely agree with the hon. the Leader of the Opposition. As a matter of fact, these misunderstandings had arisen because of some individual idiosyncrasies and not because of a general misunderstanding between the communities. I hope better understanding will prevail hereafter so much so that even these individual idiosyncrasies will not give rise to any general problem like this again.

DR. K. B. MENON : Sir, is it not a fact that after the incident, there have been better relations and that there has occurred nothing to make the Government interfere in such affairs?

29th September 1956]

THE HON. SRI C. SUBRAMANIAM : Yes, Sir. I am happy about it. As a matter of fact, a suggestion was made that a measure should be enacted for this purpose. I then definitely said that now that there was cordial relationship and that there were also the probability and possibility of that cordial relationship continuing, there was no necessity for any special enactment. I am glad that the cordial relationship continues to exist, and I hope it will continue to exist in the future also.

Stake-net fishing licences

* 274 *Q.*—SRI K. P. GOPALAN : Will the Hon. the Minister for Agriculture be pleased to state— 9–20 a.m.

(*a*) the number of stake-net fishing licences issued by the Government in the last week of May 1956 in Chirakkal taluk, North Malabar; and

(*b*) the amount received by the Government as licence fees from the stake-net fishermen?

THE HON. SRI M. BHAKTAVATSALAM : (*a*) Fifteen stake-net licences were issued during the period.

(*b*) Rs. 2,416.

SRI K. P. GOPALAN : May I know whether Government have received a complaint from five stake-net fishermen stating that even though they had the licences in the previous year they were not given the licence this year and if so what action have Government taken on the complaint to redress their grievances by granting the licences and thus enable them to earn their livelihood?

THE HON. SRI M. BHAKTAVATSALAM : Certain complaints were received about the irregular issue of licences and the non-issue of licences to certain people. That was supported by the hon. Member also. Government have, therefore, referred them to the Collector for his report after going into the whole question.

SRI S. DAIVASIGAMONEY : To eke out a livelihood by fishing either in the sea or in the backwaters is the elementary and fundamental right of every one of the fishermen. Such being the case, may I know the reasons that induced the Government to curtail those fundamental rights by imposing this licensing system?

THE HON. SRI M. BHAKTAVATSALAM : Sir, the hon. Member has stated the exact reasons. It is the elementary right of the fishermen to fish in the waters. The use of the stake-nets would put the smaller fishermen who did not have that kind of nets at a serious disadvantage. Therefore, Government sought to restrict the use of these stake-nets and introduced this licensing system and certain regulations.